

Health Legislation Amendment Bill (No. 2) 2025

Amendments during consideration in detail to be moved by
The Honourable the Minister for Health and Ambulance Services

1 After clause 1

Page 6, after line 5—

insert—

Part 1A Amendment of Fire Services Act 1990

1A Act amended

This part amends the *Fire Services Act 1990*.

1B Insertion of new s 139A

After section 139—

insert—

139A Helping communities or other entities

- (1) For performing a function under section 139(1)(c), a rural fire brigade may carry out activities to help a community or another entity in relation to an event or a disaster—
 - (a) at the direction of the commissioner; or
 - (b) in response to a request for help by the community or other entity; or
 - (c) on its own initiative.

Examples of activities—

- blocking a road to isolate an area in the vicinity of a fallen powerline
 - directing traffic away from a flooded creek
 - using a chainsaw to remove a fallen tree on a property that is causing a hazard
- (2) If the rural fire brigade carries out activities in response to a request for help by the community or other entity or on its own

initiative, the first officer of the brigade must notify the commissioner at the first opportunity of any activities carried out, or to be carried out, by the brigade in relation to the event or disaster.

(3) In this section—

first officer see section 140(4).

2 After clause 1

Page 6, after line 5—

insert—

Part 1B Amendment of Medicines and Poisons Act 2019

1C Act amended

This part amends the *Medicines and Poisons Act 2019*.

1D Amendment of s 4 (How main purposes are to be achieved)

Section 4(c)—

omit, insert—

- (c) providing for a scheme to—
 - (i) authorise additional activities using the substances under approvals or licences; and
 - (ii) restrict the grant of approvals or licences for inappropriate purposes; and

1E Insertion of new ch 3, pt 3, div 4, sdiv 1A

Chapter 3, part 3, division 4—

insert—

**Subdivision 1A Restrictions on
granting applications**

**86A Authorisation for drug checking not
permitted**

- (1) Despite another provision of this part, the chief executive must not grant an application to the extent the grant would authorise a person to deal with a regulated substance for the purpose of drug checking.

- (2) In this section—

drug checking—

- (a) means analysing a regulated substance to identify its ingredients if the substance—

- (i) has been manufactured or possessed unlawfully or contains unknown ingredients; and

- (ii) is provided for analysis by a member of the public; but

Example for paragraph (a)—

pill testing at a music festival

- (b) does not include analysing a regulated substance to—

- (i) exercise a power or perform a function under an Act; or

- (ii) detect, investigate, prevent or prosecute an offence; or

- (iii) monitor compliance with a condition of employment; or

- (iv) monitor compliance with the rules of a sporting or racing competition; or
- (v) provide therapeutic treatment to a person or treat an animal; or
- (vi) detect a biosecurity risk or an environmental contaminant; or
- (vii) undertake general research; or
- (viii) carry out another activity prescribed by regulation.

general research—

- (a) means research about a matter relating to a regulated substance that has been manufactured or possessed unlawfully or contains unknown ingredients; but
- (b) does not include research that involves directly advising a particular person about the ingredients of, or risks associated with, a particular regulated substance possessed by the person.

1F Insertion of new ch 8, pt 4

Chapter 8—

insert—

Part 4

**Transitional
provisions for
Health Legislation
Amendment Act
(No. 2) 2025**

283 Definition for part

In this part—

drug checking see section 86A(2).

284 End of authorisation for drug checking under existing substance authorities

- (1) This section applies to a substance authority granted before the commencement that, immediately before the commencement, authorised a dealing with a regulated substance for the purpose of drug checking.
- (2) On the commencement, the substance authority ends to the extent it authorises the dealing.
- (3) However, for the 30-day period, subsection (2) does not affect the authorisation under the substance authority of the following dealings—
 - (a) possession of the regulated substance;
 - (b) disposal of the regulated substance.
- (4) In this section—

30-day period means the period—

- (a) starting on the day of the commencement; and
- (b) ending on the day that is 30 days after the day of the commencement.

285 Existing applications to authorise drug checking

Section 86A, as in force on the commencement, applies in relation to an initial application, an amendment application or a renewal application made, but not decided, before the commencement.

286 No compensation or refund payable

No compensation, or refund of any fee paid under the Act, is payable because of—

- (a) the ending of an authorisation under section 284; or
- (b) the operation of section 285.

3 Long title

Long title, after ‘amend’—

insert—

the Fire Services Act 1990, the Medicines and Poisons Act 2019,

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